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PROCEDURE FOR THE SEPARATION OF INEFFICIENT PERSONNEL

The objectives of the CIA Career Service require that each member of the Agency contribute his full share toward accomplishment of the Agency's mission. Prompt action must be taken to release from the Career Service those individuals whose performance is unsatisfactory when there is no reasonable prospect of bringing about adequate improvement through less drastic administrative or supervisory action.

All personnel need assurance against adverse actions based on arbitrary, uninformed decisions. Each member of the Agency represents a sizeable investment in time, money, and human effort. Therefore, it is important that personnel be carefully evaluated both during their probationary period and subsequently in order to eliminate those who manifest an inability to meet requirements.

When during his period of probation an individual demonstrates failure to perform satisfactorily, the appropriate line official will notify the Office of Personnel in writing. This memorandum should indicate the individual's inadequacy and state what has been done to give him a chance to improve. On assurance that the individual has had reasonable opportunity to demonstrate adequate performance, the Office of Personnel will send the individual a written notice of his separation. Ordinarily this letter will be issued two weeks in advance of the effective date of the action. In all cases the effective date of the action must be prior to the expiration of the probationary period.

Subsequent to the probationary period, the following procedures will be effective to insure that decisions resulting in adverse personnel actions are based on consideration of pertinent facts and are made in the best interest of Agency objectives:

1. Personnel should be informed at all times of their inadequacies and given continuous guidance for improvement. When it becomes apparent to the supervisor that an individual's improvement is insufficient to warrant his continuation of the job, he must notify the individual of his inadequacies in writing with a warning that separation action will be initiated if the individual does not improve sufficiently within a stated period of time.
2. When, after the expiration of such a warning period, it becomes apparent that an individual's performance has been such that he can no longer be utilized satisfactorily, the appropriate line official will address a recommendation for separation to the Office of Personnel. This memorandum should state in detail the facts concerning the individual's unsatisfactory performance, including the administrative and supervisory actions which have been taken to improve it.

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3. On receipt of such a memorandum, the Office of Personnel will conduct such review as may be necessary to develop all facts pertinent to an appropriate administrative decision. This review may include assessment at the request of the individual.
4. If the Office of Personnel decides that separation is appropriate or that less drastic administrative action (such as demotion) should be taken, it will prepare (with the concurrence of the appropriate line official) a letter to the individual, containing the following:
  - (a) A statement of the action proposed, as well as the effective date of the proposed action (30 days from the individual's receipt of the letter).
  - (b) A statement, specific and in detail, showing the reasons for the proposed action and including a review of the administrative and supervisory actions which have been taken to correct the situation.
  - (c) A statement informing the individual that he may reply within ten days orally and/or in writing; that his reply will be given full consideration before a decision is reached; and, that he will be notified of the decision promptly in writing. In addition, he will be informed that he may present his case orally before a Hearing Committee.
5. (a) On receipt of request for a hearing, the Office of Personnel will arrange for the prompt conduct of the hearing. The Hearing Committee will submit a report of findings and recommendations within five calendar days. A representative of the Office of Personnel will participate without vote in all hearings.  
(b) The Hearing Committee shall consist of any three persons whom the individual may select from a panel established for this purpose. The DCI will designate the panel consisting of twenty-one persons selected from nominations made by the Offices and components of CIA.
6. After considering the individual's reply and the report and recommendations of the Hearing Committee, the Office of Personnel will make a decision and notify the individual in writing, giving the reasons for the decision based on all pertinent information which has been developed. If it is decided to take action to demote or separate the individual, the letter will contain a notice of the effective date. The employee shall be informed of his opportunity to request a review of his case and a final decision by the DCI

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provided he makes such request in writing within three days of receipt of the decision by the Office of Personnel. The review at the DCI level will be based on the record and will not ordinarily involve the conduct of an additional hearing.

7. The final notice to an individual covered by the Veterans Preference Act will include a statement informing him of his right to appeal to the Civil Service Commission within 10 days of receipt of the letter.
8. Action must be taken to remove an individual from his position whenever his Personnel Evaluation Report indicates "unsatisfactory" performance. This removal may be accomplished through reassignment and may not, therefore, require the use of the above procedures. However, the above procedures will be followed whenever demotion or separation for inefficiency is required. In such cases, the Personnel Evaluation Report, properly signed by the individual, will serve as evidence of a warning of unsatisfactory performance. Personnel Evaluation Reports of record may provide evidence of prior administrative and supervisory efforts to improve the individual's performance.